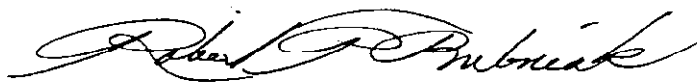


**TEMPORARY ASSIGNMENT OF EMPLOYEES UNDER THE  
INTERGOVERNMENTAL PERSONNEL ACT (IPA)**

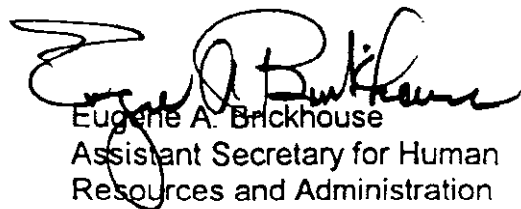
- 1. REASON FOR ISSUE:** This Directive revises existing Department of Veterans Affairs (VA) policy and procedures for temporary assignment of employees under the Intergovernmental Personnel Act (IPA).
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This Directive incorporates changes to IPA procedures for assignment agreements published by the Office of Personnel Management (OPM). OPM issued final regulations in the Federal Register dated April 29, 1997, and implemented them on May 29, 1997. Major changes include delegation of responsibility to Federal agencies for approval of "other" organizations, instrumentalities, and State and local governments to participate in assignment agreements; removal of the 6-year lifetime limitation on length of assignments for non-Federal assignees; and deletion of the requirement to submit copies of all assignment agreements to the OPM.
- 3. RESPONSIBLE OFFICE:** The Customer Advisory and Consulting Group (051) is responsible for the contents of this Directive.
- 4. RELATED HANDBOOK:** None.
- 5. RESCISSIONS:** MP-5, Part 1, Chapter 334, Intergovernmental Assignments, dated December 31, 1998.

**CERTIFIED BY:**

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS**



Acting Principal Deputy Assistant  
Secretary for Information and Technology



Eugene A. Brickhouse  
Assistant Secretary for Human  
Resources and Administration

Distribution: RPC 5011  
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# TEMPORARY ASSIGNMENT OF EMPLOYEES UNDER THE INTERGOVERNMENTAL PERSONNEL ACT (IPA)

## 1. PURPOSE

a. This directive contains VA policies to be followed in implementing the Intergovernmental Personnel Act (IPA) Mobility Program. Office of Personnel Management (OPM) regulations and instructions are contained in Title 5 Code of Federal Regulations (CFR) Part 334, "Temporary Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Governments, Institutions of Higher Education, and other Eligible Organizations." Additional information and guidance on interpretation may be found in OPM's A Handbook on the Intergovernmental Personnel Act Mobility Program, dated March 1998.

b. Only permanent, full-time Title 5 employees will be considered for temporary assignments. Employees serving on time-limited, temporary or term, non-career (SES), excepted service, or noncompetitive appointments are excluded from participation in the IPA Mobility Program. Additionally, students employed in research, graduate, or teaching assistant positions are not eligible to participate in the IPA Mobility Program.

c. IPA assignments are intended to strengthen Federal, State, and local government management capabilities and should involve issues of mutual concern and benefit. The goal of the IPA Mobility Program is best served when employees with unique skills and knowledge participate. In general, the IPA Mobility Program is intended for persons holding appointments without limitations. Therefore, it is inappropriate to consider VA employees serving on Schedule C appointments, non-career executive assignments, or time-limited appointments (e.g., term appointments). In order to appoint a limited term non-VA IPA-assignee to a career SES position, VA Central Office must first obtain authority from OPM.

d. No individual or organization may participate in the IPA program if they are listed on the Department of Health and Human Services (HHS) Inspector General's Sanctions List (a.k.a. Exclusionary List). This restriction ensures compliance with the Balanced Budget Act of 1997 (Public Law 105-33) which specifies that no excluded individual or entity may receive payments from any Federal health care program for services furnished.

## 2. POLICY

a. VA will cooperate with State and local governments, institutions of higher education, Indian tribal governments, and other outside organizations in carrying out the provisions of the Act. Indian tribal governments and organizations are included in the term "State and local governments" when used in this directive. Before a VA or State/local government employee enters into a temporary assignment, a determination must be made that such action will contribute to more effective intergovernmental relations and programs. There must also be assurance that such assignments are filled by highly qualified employees. The temporary assignment of a VA employee must not impair VA services to veterans and their beneficiaries.

b. Assignments may be made on an intermittent, part-time, or full-time basis. No assignment should be made for more than 2 years initially. A single assignment may not exceed 4 years. An employee may not participate in additional assignments without a 12-month break in service. VA employees would return to their respective VA position and non-VA employees would return to their non-Federal organization. Successive assignments without a break of at least 60 calendar days is regarded as continuous service. Federal employees may not serve more than 6 years on IPA assignments during their career. This limitation does not apply to private sector employees.

c. Within VA, the majority of IPA agreements are approved to support VHA research projects through the use of affiliated university staff. Under no circumstances should IPA agreements be used as a mechanism for hiring clinical staff or as a substitute for scarce medical specialist, sharing, commercial item, or other clinical services contracts. Nor is it appropriate to use IPA agreements for administrative and support positions. In general, IPA agreements should not be used to circumvent restrictions on hiring due to budget constraints, reductions-in-force, freezes on grade levels, or ceiling allocations. Temporary assignment agreements for employees of State and local governments, institutions of higher education, and other outside organizations, who are detailed or appointed to VA, will be made in accordance with guidance provided in 5 CFR 334.106. Non-VA employees may exercise supervision over VA employees. Non-VA employees must be employed in a permanent position by their organization for at least 90 days to be eligible for an IPA assignment. Details of these employees may be made on a reimbursable, nonreimbursable, or a shared cost basis. VA employees may be detailed or placed in leave without pay status, to a State or local government or institution of higher education. In either case, non-VA and VA employees remain employed by their original organization and retain the rights, benefits, and obligations associated with their original appointment.

**NOTE:** A non-VA employee assigned by detail to a CLASSIFIED position in VA is entitled to earn the basic rate of pay, including any locality payment, which the duties of the assignment position would warrant under the applicable classification and pay provisions of VA. If the assignee's non-Federal salary is less than the minimum rate of pay for the VA position, VA must supplement the salary to make up the difference. Supplemental pay may vary because of changes in the rate of pay of the VA position. Supplemental pay cannot be paid in advance or in a lump sum and is not conditional on the completion of the full period of the assignment. Supplemental pay may be paid directly to the employee or reimbursed to the non-Federal organization.

d. If an agreement involves nonprofit organizations, certification must be obtained before the assignment agreement can be approved. Authority for certification of VA nonprofit research corporations, who are members of the National Association of Veterans' Research and Education Foundations (NAVREF), has been delegated to the Chief Research Officer (12). All other requests for certification must be approved by the Secretary. A centralized list of Federally-approved certifications of nonprofit organizations is maintained by the Office of the Deputy Assistant Secretary for Human Resources Management, Customer Advisory and Consulting Group (051). If an organization has been certified by another Federal agency, that certification may be accepted or the VA facility requesting the agreement can choose to recertify through VA's certification process.

**NOTE:** This policy does not change any relationships that VA has or may establish with medical, professional, and other schools affiliated with VA for training purposes.

e. Cost-sharing arrangements for mobility assignments are negotiated between participating organizations. Normally, the larger share of the costs should be absorbed by the organization benefiting most from the assignment. Exceptions might occur if an organization's resources do not permit costs to be shared on a relative benefit basis.

f. A VA employee given a temporary assignment of 90 days or less may be placed on leave without pay status or detailed, with the assignment being made on a reimbursable, or shared-cost basis. (However, because of the VA Appropriation Act limitations, any detail of VHA employees involved in the examination of other than VA beneficiaries, must be on a reimbursable basis.) For a temporary assignment over 90 days, an employee may be placed on a leave without pay status or he/she may be detailed. Any VA expenditures for assignments over 90 days may be fully reimbursable and credited to the VA appropriation from which payment is made. Exceptions to this policy may be approved by the person having approval authority for filling the position.

g. A non-VA employee may be detailed or appointed on a reimbursable, nonreimbursable, or shared-cost basis. If appointed for more than 1 year on a

continuing appointment, the appointee is eligible for within-grade increases. Usually, an IPA-assignee is appointed at the minimum rate of the grade. However, if desired and properly negotiated, an advanced step rate for a position at GS-1 through GS-15 may be conferred, based upon superior qualifications.

h. Non-VA detailees are not eligible to enroll in the Federal Employees Health Benefits program, group life insurance, or the Federal Employee Retirement System. Non-VA appointees are not covered by any Federal retirement system or by the Federal Employees Group Life Insurance Program. They are not eligible for enrollment in the Federal Employees Health Benefits program unless their appointment with VA results in loss of health coverage from their non-Federal health benefits system.

i. Costs associated with an IPA assignment must include pay provisions with specific salary rate(s), any provisions for cost-of-living adjustments (COLA), fringe benefits, travel and relocation expenses, and income derived from certain private consulting work (usually considered as part of the pay of university employees).

j. The hours of duty must be cited, along with any additional requirements for additional work hours anticipated. Non-Federal detailees usually have the same work week and hours of duty as other employees of the organization assigned. If the detailee is a non-Federal employee, they are eligible to participate in alternative work schedule arrangements. It is important to note which organization will be responsible for maintaining time and attendance records. All deviations from the standard tour of duty must be reported. It is important to maintain accurate timekeeping records for audit and review purposes.

k. Details are covered under the policy of the permanent employer's leave system. The assignment agreement should specify which organization will be responsible for approving and reporting leave. The agreement should also spell out what holidays will be observed by the assignee.

l. Indirect administrative costs associated with preparing and maintaining payroll records, developing reports, negotiating the IPA agreement, office space, furnishings, supplies, staff support, and computer time are prohibited.

m. If a VA employee fails to fulfill an agreement before the expiration of the agreement in less than 1 year, applicable travel and transportation expenses are recoverable from the employee unless the assignment is terminated for reasons which are beyond the employee's control and are acceptable to VA. Recoveries will be returned to the paying office where VA was initially reimbursed for such expenses. The approving authority will be guided by the criteria for waiving such recovery as described in MP-1, Part II, Chapter 2, Appendix H, Employee's Agreement To Remain In The Government Service for Twenty-Four (24) Months Or To Repay The Costs Of Travel And/Or Transportation Advanced.

n. If a non-VA employee terminates an assignment before the entire period or 1 year, whichever is shorter, he/she is liable for paid travel, relocation, and per diem expenses.

o. If an organization terminates the assignment, a 30-day notice to all parties involved is advised. This notification should be in writing and include the reasons for termination. Mobility assignments must be terminated immediately whenever an assignee is no longer employed by his/her original employer.

p. VA facilities are encouraged to admit State and local government employees to training programs established for facility employees. In many instances, the training can be provided with little or no additional cost. In such cases, reimbursement from the State or local government will not be requested. As a general guide, reimbursement will usually be required only in instances where the additional costs involved in providing the training exceed \$100.

q. Training shall be provided only upon written request of a State or local government. The request shall normally be made by the chief executive or other responsible official of these entities. The appropriate level of the requesting official will depend on the training requested. For example, a request from the top official of a State office in the same locality as a VA installation to add one person or a few persons to a particular course would meet the requirement. Adding a number of persons over a period of time might require a higher requesting level. In any event, appropriateness of the level of the requesting official is left to facility determination.

r. Annual reports may be required by OPM at the beginning of each calendar year. As the reporting requirements may differ from year to year, facilities will receive instructions on what information must be submitted and by what mechanism (e.g., electronic, etc.) the information should be transmitted. Generally, information on both VA and non-VA IPA-assignees will be requested.

### 3. RESPONSIBILITIES

a. **Facility IPA Mobility Program Coordinators.** Human Resources Management Officers will serve as IPA mobility program coordinators for their respective facilities. They will be the principal points of contact for mobility assignment matters.

b. **VA IPA Mobility Program Coordinator.** The Leader, Customer Advisory and Consulting Group (051), Office of Human Resources Management, is the VA IPA Mobility Program Coordinator, and is the principal agency point of contact for matters relating to mobility assignments. Any inquiries or requests, which cannot be promptly acted on at the local level, should be expeditiously referred through channels to this coordinator and staff.

#### 4. REFERENCES

a. MP-1, Part II, Chapter 2, Appendix H, Employee's Agreement To Remain In The Government Service For Twenty-Four (24) Months Or To Repay The Costs Of Travel And/Or Transportation Advanced.

b. Office of Personnel Management (OPM) A Handbook on the Intergovernmental Personnel Act Mobility Program dated March 1998.

c. Temporary Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Governments, Institutions of Higher Education, and other Eligible Organizations (5 CFR 334).

**INTERGOVERNMENTAL PERSONNEL ACT (IPA) MOBILITY ASSIGNMENT  
PROCEDURES**

1. Initial IPA mobility assignments are requested by the facility program official with responsibility for the IPA-related project/program or affected VA employee. The following steps should be followed to secure approvals of IPA assignments.

a. The Optional Form 69, Assignment Agreement, issued by OPM, should be completed by the requesting official and signed by the employee. All information pertinent to the agreement including such issues as special pay conditions, who will administer leave requests and other benefits outside of the standard package should be included on the form. Cost-sharing arrangements should be negotiated between both involved organizations (lending and receiving). Reimbursement may include salary and income derived from any job-related outside consulting work and should be specified on the form.

b. Authorizing Officials from both the lending and receiving organizations should sign the form before referring to the facility HR office (HRO) for final administrative review. The HRO will review all IPA agreements for administrative accuracy (e.g., does it meet legal requirements such as purpose, timeframes, etc.). The VA approving official may wish to designate a management representative to review and concur on the technical aspects of the request (e.g., is this a bona fide research assignment).

c. Authority is delegated to Administration Heads, Assistant Secretaries, and Other Key Officials to initiate and approve IPA assignments under their jurisdiction. Approval authority covers the start date of the initial assignment through a period exactly 2 years later (e.g., 01-01-00 through 12-31-02). The official approving any extension beyond 2 years must be at a level higher than the official who approved the original IPA agreement. Extensions may be requested for any period of time not to exceed 2 years. No agreement may be approved for more than a total of 4 years.

d. Once an initial or extension of assignment agreement has been approved, copies should be provided to the facility HRO, facility fiscal office, the employee, and the office that generated the request.



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e. Modifications to either the original or extended agreements should be recorded and approved in the same manner as mentioned in subparagraphs a, b, and c. Modifications include significant changes in an employee's duties, responsibilities, salary, work assignment location or schedule (e.g., part-time to full-time) or supervisory relationships.

2. Most research assignments are filled by employees of the National Association of Veterans' Research and Education Foundations. These Foundations have been previously approved by the Chief, Research and Development Officer, Office of the Chief Research and Development Officer (12). Assignment requests involving these approved organizations should be processed as noted in subparagraphs a, b, and c.

3. If an assignment request involves "other" nonprofit organizations (e.g., national, regional, statewide, area-wide, or metropolitan organizations representing State or local governments; or a nonprofit organization whose primary function is to offer professional advisory, research, education, or development services to governments or universities), such organizations must be certified by the Secretary. This certification process **must** be completed before any assignment agreements can be approved. Procedures for obtaining certification of "other" nonprofit organizations can be found in Appendix B.

**PROCEDURES FOR SECRETARIAL APPROVAL AND CERTIFICATION OF  
"OTHER" NON-PROFIT RESEARCH ORGANIZATIONS**

The Office of Human Resources Management (OHRM), Customer Advisory and Consulting Group (CACG) (051), serves as coordinator and clearinghouse on behalf of the Secretary for requests for IPA certifications submitted by non-Federal organizations who are not members of the National Association of Veterans' Research and Education Foundations (NAVREF). The procedures for requesting certification are as follows:

1. All requests for certification packages must contain a cover letter describing why the organization wishes to participate with VA in the IPA Mobility Program and how its participation would benefit VA, copies of the organization's Articles of Incorporation, Bylaws, Internal Revenue Service Nonprofit Statement, and any other information which describes the organization's function (such as offering professional advisory, research, educational or developmental services, or related services to governments or universities concerned with the public management). All requests for certification should be sent to VACO OHRM CACG (051).
2. OHRM will review certification requests and route the packages to the appropriate program office for further review and concurrence. If the program office concurs, they will route the package to the Office of General Counsel (OGC) for legal review and concurrence. Once OGC concurs, the package is returned to OHRM for action. OHRM will then prepare the final package for the Secretary's approval.
3. Upon receipt of the Secretary's approval, OHRM will implement the Secretary's decision by notifying OGC, the program office, and the requesting office. If the Secretary disapproves the request, OHRM will notify the organization directly.